

United States Courts
Southern District of Texas
FILED

November 04, 2020

David J. Bradley, Clerk of Court

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA

VS.

JONATHAN ROBERT GERVASON

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CRIMINAL NO. H-20-

4:20cr560

INDICTMENT

The United States Grand Jury charges:

At all times material herein:

1. The Federal Deposit Insurance Corporation (FDIC) was an agency of the federal government which insured the deposits of member banks against loss up to \$100,000 with the purpose of preventing their collapse and instilling public confidence in the nation's banking institutions.

2. Chase Bank, including its branches, was a financial institution the deposits of which were insured by the FDIC.

3. Capital One Bank, including its branches, was a financial institution the deposits of which were insured by the FDIC.

COUNTS 1-2

(Bank Fraud - 18 U.S.C. § 1344)

A. INTRODUCTION

The Grand Jury adopts, realleges, and incorporates herein the allegations in paragraphs 1-3 of the Introduction of this Indictment as if set out fully herein.

B. THE SCHEME AND ARTIFICE TO DEFRAUD

2. From on or about January 1, 2020 and continuing until on or about June 5, 2020, in

the Houston Division of the Southern District of Texas and elsewhere,

JONATHAN ROBERT GERVASON,

Defendant herein, did knowingly execute and attempt to execute a scheme and artifice to defraud Chase Bank and Capital One Bank, financial institutions the deposits of which were insured by the FDIC, and to obtain moneys and funds owned by and under the custody and control of the above-listed financial institutions, by means of false and fraudulent pretenses, representations, and promises as further set forth in the counts below.

C. THE MANNER AND MEANS OF THE SCHEME AND ARTIFICE TO DEFRAUD

The manner and means of the conspiracy were as follows:

3. The Defendant stole checks, credit cards, debit cards and other mail items containing the personal identifying information (PII) of others as well as sensitive bank and credit card account information.

4. The Defendant used the information he obtained from the stolen mail to commit bank fraud by using the credit cards of others to withdraw cash from automated teller machines (ATMs) or to purchase merchandise.

5. The Defendant also stole checks from the mail including checks applicable to the bank accounts of individuals as well as United States Government issued Economic Stimulus checks.

6. The Defendant unlawfully presented the stolen checks to obtain cash and merchandise.

D. EXECUTION OF THE SCHEME AND ARTIFICE

7. On or about the following dates, the Defendant executed and attempted to execute the scheme and artifice set forth above by knowingly and fraudulently conducting the transactions described in the counts below, using a credit card that had been unlawfully obtained:

COUNT	DATE	AMOUNT	BANK	VICTIM
ONE	May 31, 2020	\$650.11	Chase Bank	V.C.
TWO	May 31, 2020	\$500	CapitalOne Bank	M.T.

In violation of Title 18, United States Code, Sections 1344 and 2.

COUNT 3

(Possession of Stolen Mail – 18 U.S.C. § 1708)

From on or about January 1, 2019 until on or about June 5, 2020, in the Houston Division of the Southern District of Texas,

JONATHAN ROBERT GERVASON,

Defendant herein, did possess checks, letters, credit cards, debit cards, gift cards, bank statements and other mail items, which had been stolen from the United States Mail, knowing that said items had been stolen.

In violation of Title 18, United States Code, Sections 1708 and 2.

COUNTS 4-5

(Aggravated Identity Theft- 18 U.S.C. § 1028A)

From on or about January 1, 2020 until on or about June 5, 2020, in the Houston Division of Southern District of Texas and elsewhere,

JONATHAN ROBERT GERVASON,

Defendant herein did knowingly transfer, possess, and use, without lawful authority, a means of identification of another, that is, the name and credit card number of the real persons listed below, during and in relation to a violation of 18 U.S.C. Section 1344 (Bank Fraud) and 18 U.S.C. Section 1029(a)(3) (Access Device Fraud):

COUNT	DATE	VICTIM
FOUR	May 31, 2020	V.C.
FIVE	May 31, 2020	M.T.

In violation of Title 18, United States Code, Sections 1028A(a)(1) and 2.

NOTICE OF FORFEITURE
(18 U.S.C. § 982(a)(6))

Pursuant to Title 18, United States Code, Section 982(a)(6), the United States gives notice to the defendants,

JONATHAN ROBERT GERVASON,

that in the event of conviction of the offenses charged in Counts One and Two, and Three through Four of this Indictment, the United States intends to seek forfeiture of all conveyances used in and of all property used to facilitate, or intended to be used to facilitate, the commission of the offenses.

Money Judgment and Substitute Assets

The United States gives notice that it will seek a money judgment against the defendant. In the event that one or more conditions listed in Title 21, United States Code, Section 853(p) exist, the United States will seek to forfeit any other property of the defendants up to the value of the property subject to forfeiture.

TRUE BILL

Original Signature on File

FOREPERSON OF THE GRAND JURY

RYAN K. PATRICK
United States Attorney



JAY HILEMAN
Assistant United States Attorney